

REMARKS

Entry of the above amendment and reconsideration and withdrawal of the rejections are respectfully requested.

Withdrawal of the rejection of claims 1-33 under 35 USC 112, second paragraph, as well as the objection to the specification for the same reason for being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention is now in order in view of the amendment to the specification where on page 7, the spelling of the term "viscositying" has been corrected. The term viscosifying is a term of art that is well known in the household care product industry. See the remarks and attached publication in the amendment filed May 11, 1999 for a further explanation of this term.

The rejection of claims 1-9, 11, 19, and 34-36 under 35 USC 102 (b) as being anticipated by Goddard is traversed. Goddard does not disclose a household care product but rather discloses personal care products. The main issue here that must be resolved is whether "household products" and "personal care products" are the same. It is submitted that applicant has defined in this application exactly what he means by household products" as being industrial grade products that any person normally would not use as a personal care product on one's skin such as industrial grade bar and liquid soap that remove dirt, oil grease, germs from the surface of areas in kitchens, bathroom, and public facilities. This patent discloses hydrophobically modified cellulose ethers of the Landoll patent noted above along with water and other personal care ingredients to prepare a foamable composition suitable for use as foaming personal care products. There is no disclosure in this patent for apprising a person skilled in the art how to use this composition for use in household care compositions. Hence, this patent is limited to heavy-duty products that would ruin a person's skin doing more damage than good. Therefore, this patent clearly does not anticipate the instant invention.

The rejection of claims 1-9, 11, 19, and 34-36 under 35 USC 103 (a) as being

unpatentable over Landoll ('277) is traversed. Again, the main issue here that must be resolved is whether "household products" and "personal care products" are the same. It is submitted that applicant has defined in this application exactly what he means by "household products" as being industrial grade products that any person normally would not use as a personal care product on his or her skin such as industrial grade bar and liquid soap that remove dirt, oil, grease, and germs from the surface of areas in kitchens, bathrooms, and public facilities. Landoll discloses a hydrophobe modified polymer where the hydrophobe is an alkyl having 10-24 carbons. Again, this is a long chain alkyl group as opposed to a group having both short and long chain alkyl moieties, which means that Landoll is limited only to an associative thickener while the instant invention can be a non-associative as well as an associative thickener. These polymers are simply different. Moreover, Landoll has an enabling disclosure only for shampoos and latex paints based on the working Examples. The disclosure in column 9, lines 5-12, suggest that the composition of this patent can be used as a stabilizer in emulsion polymerization, as thickeners in cosmetics and latex paints, and as flocculent in mineral processing. The patent does not teach or enable a person skilled in the art how to practice this invention for household-care products. This patent simply does not enable a person having an ordinary skill in the art how to practice Landoll's invention in household care formulations. For these reasons, it would not be obvious to a person skilled in the art armed with the Landoll patent to practice the instant invention.

The rejection of claim 14 under 35 USC 103 (a) as being unpatentable over Goddard and Landoll in view of Bolich et al is traversed. The arguments set forth above concerning Goddard and Landoll are repeated herein. Bolich et al does not disclose a household care product but rather discloses a cosmetic composition for the skin and hair. We agree with the Examiner that the cellulose ethers disclosed in the Landoll patent (mentioned above) are used in this Bolich et al patent along with other ingredients for cosmetics. This reference does not disclose any household care ingredients or give any enabling disclosure for use in household care products. Hence, a person skilled in the art armed with Goddard or Landoll and Bolich et al would not be able to practice applicant's invention. In other words, Bolich does not

cure the defects of the primary references, since all of them, at best, are dealing with personal care products rather than household products..

For the reasons set forth above, it is submitted that this application is now in condition for allowance and prompt notification thereof is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Edwards", with a stylized flourish at the end.

David Edwards
Attorney for Applicant
Reg. No. 27,293

Hercules Incorporated
Hercules Plaza
1313 North Market Street
Wilmington, DE 19894-0001

(302) 594-6974

May 23, 2001

a:\modi3Aamt.doc

VERSION WITH MARKINGS TO SHOW CHANGES MADE

17) Lubricating agent which reduces friction between parts.

The above list is only examples and is not a complete list of active ingredients that can be used. Other ingredients that are use in these types of products are well known in the industry. In addition to the above ingredients conventionally used, the composition according
5 to the present invention can optionally also include ingredients such as a colorant, preservative, antioxidant, activity enhancer, emulsifiers, [viscositying] viscosifying agents (such as salts, i.e., NaCl, NH₄Cl & KCl), alcohol and fats and oils.

10 The vehicle systems and compositions of the present invention can be made using conventional formulation and mixing techniques. Methods of making various types of compositions are described more specifically in the following examples. The following examples are merely set forth for illustrative purpose, but it to be understood that other modifications of the present invention within the skill of artisans in the industry can be made without departing from the spirit and scope of the invention.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

14. The composition of claim 4 wherein composition also contain an effective [viscosifying] viscosifying amount of a salt.

19. A liquid soap product comprising industrial grade soap actives and an effective amount of the household composition of claim 7.

23. A bar soap composition comprising industrial grade soap actives and an effective amount of the household composition of claim 7.